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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,180	08/21/2003	Joseph Celi JR.	AUS920030375US1	7312

45371   7590   05/23/2007
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ART UNIT	PAPER NUMBER
2179	

MAIL DATE	DELIVERY MODE
05/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/645,180	CELI ET AL.
	Examiner	Art Unit	
	TuyetLien (Lien) T. Tran	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>12 March 2007</u>.

2a)☒ This action is **FINAL.** 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-27 and 29-40</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-27, 29-40</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the following communication: Amendment filed 03/12/07.

This action is made final.

2.   Claims 1-27, 29-40 are pending in the case. Claims 1, 14 and 27 are independent

claims. Claims 1, 14, 27, 29-37, and 40 are amended claims.

Double Patenting

3.   Applicant's amendment corrects the previous rejection and therefore the rejection is

dropped.

Specification

4.   Applicant's amendment corrects the previous specification objection and therefore the

objection is dropped.

Claim Objections

5.   Claim 14 is objected to because of the following informalities: it is suggested that ";" is

added at the end of line 13 of the claim; it is further suggested that the term "suer" recited in line

14 of the claim should be changed to "user" and "them" recited in line 15 should be changed to

"then". Appropriate correction is required.

Claim Rejections - 35 USC § 101

6.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter,
or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
requirements of this title.

7.   Claims 14-27 and 29-40 are rejected under 35 U.S.C. 101 because the claimed

invention is directed to non-statutory subject matter.

As to claim 14 and 27, a computer usable medium is recited; however, as disclosed by the specification (e.g., see Applicant's specification amendment on page 14), the computer usable medium is not taught to limit to physical storage medium. In addition, a program product is recited in the claim; and it appears that the program product would reasonably be interpreted by one of ordinary skill in the art as software, per se. As such, it is believed that the program product of claims 14 and 27 are interpreted as non-functional descriptive material, per se. This subject matter is not limited to that which falls within a statutory category of invention because it is not limited to a process, a machine, manufacture, or a composition of matter.

Claims 15-26, 29-40 are rejected as incorporating the deficiencies of a claim upon which it depends.

Note: this rejection is necessitated by the specification amendment.

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> *(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.*

9.   **Claims 1-27, 29-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tuli (Patent No US 6,941,382 B1; hereinafter Tuli).**

As to claims 1 and 14, Tuli teaches:

A program product operable on a computer (e.g., see Fig. 1 and col. 1 lines 29-40), the program product comprising:

a computer-usable medium (e.g., internal memory of the host computer and palm top
device, see col. 1 lines 29-40 and col. 2 lines 56-62);

wherein the computer usable medium comprises instructions comprising:

instructions for creating a web page bit map image from a first web page
displayed on a browser (e.g., translating html images into raster images or color images,
see col. 2 lines 23-32; note that raster images are also referred to as bit map images,
see col. 4 lines 55-56);

instructions for identifying a location of a first web page hyperlink (e.g., the words
that represent links on the page 5 are translated to be slightly bolder; of course, those
skilled in the art would realize that in order for the translator program to translate the
image that represents links to be slightly bolder, the program would obviously identify the
hyperlink, see col. 3 lines 5-10);

creating a segmented hyperlink image on the web page bitmap image at a
location where the hyperlink would be to provide an illusion of a working hyperlink (e.g.,
the words that represent links on the page 5 are translated to be slightly bolder, the user
therefore consider text that is bold to be links; note that the image is further divided into
smaller sections that are equal in size as shown in Fig. 2; see col. 3 lines 3-10) ;

instructions for dividing the web page image into a plurality of fragments (e.g., the
image page 5 is divided into section 7, 8, 9, and 10 as shown in Fig. 3); and

instructions for displaying a fragment from the plurality of fragments on the
display screen (e.g., displaying section 7 in a display window 13, see Fig. 2);

wherein if the fragment contains a segmented hyperlink image, and if the user
clicks on the fragment, then instructions for going to a second web page indicated by the
web page hyperlink so that a user is directed to the second web page even if the web

page hyperlink had been fragmented (e.g., if the user clicks on a part of the image which represent a link, a new Web page is extracted from the Internet or WWW, translated by translator program into a bit map or raster and dispatched to the palm top device where a new page is displayed, see col. 3 lines 11-33; note that the web page image 5 is divided into smaller sections and that the display window only shows a section of the web page; therefore, the hyperlinks can be included as a whole or a part in one section, see Fig. 2).

Tuli does not expressly teach instructions for analyzing a HTML code for the first web page; however, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the function of analyzing a HTML code for the first web page because Tuli suggests to the skilled artisan that the translator program can translates the image such that words that represents links on the page 5 are translated to be slightly bolder (e.g., see col. 3 lines 3-10; of course, it is obvious that the HTML code is analyzing to identify hyperlink contained within the web page image). The motivation is to provide the ability to a user to interact with the web image on small display device just like the way that one can be able to interact with a normal web page.

As to claim 27, claim 27 reflects a computer program product encoded and stored on a computer readable medium (e.g., see Fig. 1, col. 1 lines 29-40 and col. 2 lines 56-62) for performing the steps as claimed in claim 1, and is rejected along the same rationale.

As to claims 2, 15, and 29, Tuli further teaches determining if the size of a web page is larger than a display screen (e.g., see col. 2 lines 34-38); and responsive to a determination that the web page is larger than the display screen, performing the creating step (e.g., see col. 2 lines 38-47).

As to claims 3, 16, and 30, Tuli further teaches wherein the fragment is displayed at the web page's intended resolution (e.g., see Fig. 2).

As to claims 4, 17, and 31, Tuli teaches the limitations of claims 1, 14, and 28 for the same reasons as discussed with respect to claims 1, 14, and 28 above. Tuli does not expressly disclose that responsive to a determination that the web page is not larger than the display screen, displaying the unmodified web page. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a function or step of responsive to a determination that the web page is not larger than the display screen, displaying the unmodified web page, in view of Tuli, because Tuli suggests to the skilled artisan that since web page images to be displayed in a browser window 6 are usually larger than the displayable area of the browser window 6, images are divided into smaller section (e.g., see col. 2 lines 34-47) to enhance the server's processing speed, data transfer and retrieval to and from the portable devices (see col. 1 lines 15-19); in other word, if a web page is not larger than the display screen, displaying the unmodified web page in order to avoid the process of translation, division, compression, and decompression; thus, to increase the speed of processing since the web page is small enough for quick data transfer, retrieval to and from the portable devices (e.g., see col. 1 lines 15-19 and col. 2 lines 18-47).

As to claims 5, 18, and 32, Tuli teaches further comprising:

recording a location of at least one hyperlink (e.g., col. 3 lines 3-10);

creating an image segment on an image map in the same location of the hyperlink (e.g., image words that represent links on the page 5 in Fig. 2 are translated to be slightly bolder, see col. 3 lines 3-10); and

wherein the image segment directs the user to another web page or location (e.g., see col. 3 lines 24-33).

As to claims 6, 19, and 33, Tuli teaches further comprising calculating the number of x-axis divisions (e.g., see Fig. 2; note that image 5 is divided into 2 x-axis divisions).

As to claims 7, 20, and 34, Tuli teaches further comprising calculating the number of x-axis divisions (e.g., see Fig. 2; note that image 5 is divided into 2 y-axis divisions).

As to claims 8, 21, and 35, Tuli teaches further comprising:

determining if a user wants to navigate the web page image (e.g., see col. 2 lines 56-63); and

responsive to a determination that a user wants to navigate the web page image, running a navigation program (e.g., programs that causes other portions of the images to be displayed when the user scrolls up, downs, or sideways to these parts of the image, see col. 2 lines 54-67).

As to claims 9, 22, and 36, Tuli further teaches wherein the displaying step occurs on a hand held display device (e.g., the information is received by a palm top device 12 in Fig. 1 is then decompressed and displayed in its display window 13, see col. 2 lines 54-57).

As to claims 10, 23, and 37, Tuli teaches the limitation of claims 1, 14, and 28 for the reasons as discussed with respect to claims 1, 14, and 28 above. Tuli further teaches accessing the web page through a proxy (e.g., host computer 1 as shown in Fig. 1). Tuli fails to expressly teach that the proxy sends only one fragment to a hand held display device. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the function of sending only one fragment to a hand held display

device, in view of Tuli, because Tuli suggests to the skilled artisan that sections of a web page image are decompressed and displayed in the order of priority such that the priority section is decompressed and displayed first (e.g., see col. 2 lines 56-60) to enhance the server's processing speed, data transfer and retrieval to and from the portable devices (see col. 1 lines 15-19).

As to claims 11, 24, and 38, Tuli teaches the limitation of claims 10, 23, and 37 for the reasons as discussed with respect to claims 10, 23, and 37 above. Tuli further teaches requesting another fragment (e.g., see col. 2 lines 59-63). Tuli fails to expressly teach that the proxy sends another fragment to a hand held display device. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the function of sending another fragment to a hand held display device, in view of Tuli, because Tuli suggests to the skilled artisan that other portions are sequentially decompressed and stored to be displayed later when the user scrolls up, down, or sideways to these parts of the image (e.g., see col. 2 lines 59-63) to enhance the server's processing speed, data transfer and retrieval to and from the portable devices (see col. 1 lines 15-19).

As to claims 12, 25, and 39, Tuli teaches the limitation of claims 10, 23, and 37 for the reasons as discussed with respect to claims 10, 23, and 37 above. Tuli further teaches wherein the web page image is identified by a unique identifier (e.g., a uniform resource identifier – URL - of a web page; as well-known in the art at the time the invention was made, URL is used to identified a web page from the internet or WWW, see col. 3 lines 24-35).

As to claims 13, 26, and 40, Tuli further teaches wherein the web page image is stored in an image file ending in .gif, .jpg, or .bmp (e.g., see col. 4 lines 30-35).

Response to Arguments

10.   Applicant's arguments with respect to claims 1-27, 29-40 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

11.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant

is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33,216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275,277 (CCPA 1968)).

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The

examiner can normally be reached on Mon-Friday: 7:30 - 5:00 (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

T.T   Lien Tran
5/21/2007   Examiner
                                               Art Unit 2179

BA HUYNH
PRIMARY EXAMINER